

REMARKS/ARGUMENTS

The above identified Office Action has been received, the references carefully considered, and the Examiner's comments carefully weighed. The present amendment is in response to the Office Action mailed June 8, 2004, in which Claims 1-15, and 17-21 were rejected. Applicant has thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. Applicant has amended Claim 1 upon which all of the remaining Claims are dependent. The amendment made to this Claim is for clarification and is based on the application and drawings as originally filed. It is respectfully submitted that no new matter is added. Claim 16, now being in independent form, should be conditioned for allowance based on Examiner's comments in the June 8, 2004 Office Action. In this regard, it is contended that all bases of rejection set forth in the Office Action have been traversed and overcome. Accordingly, reconsideration and allowance of all Claims are respectfully requested in view of the following remarks.

Rejections under 35 U.S.C. 102

According to the Office Action, Claims 1, 2, 4-6, 10, 12-15, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Onozaki (JP 11-280548) ("Onozaki") and Moller (USPN 4,395,982 ("Moller"). Applicant respectfully traverses each of the aforesaid grounds for rejection under 35 U.S.C. 102, for the reasons set forth below.

Applicant respectfully submits that neither Onozaki nor Moller disclose "channels tapering downwardly from the first end and the second end towards an accumulation area" as stated by Examiner. The invention as claimed by Applicant requires a downward tapering of channels from both end walls to an accumulation area. Both Onozaki and Moller fail to disclose this limitation. Each of these references shows either an upward tapering from one of the end walls or no tapering whatsoever from end wall to accumulation area (depending on how one defines the accumulation area in these references). The

amendment to Claim 1 is made to clarify that the accumulation area is adjacent the lowest point of the oil pan and is offset from each of the end walls. This follows from the limitation that the channels taper downwardly from the end walls to the accumulation area.

Further, Applicant respectfully submits that Moller does not disclose the presence of reinforcement channels, but rather discloses "inwardly depressed portions" constructing a lattice pattern of grooves. Moreover, Moller specifically distinguishes its invention as not encompassing any reinforcement purposes, but rather is limited to structures used to control vibration behavior to avoid noise emission in the auditory range. Additionally, Moller explicitly noted that the invention in question provides no reinforcement to the structure, as required in Claim 1 of this application. The language of Moller clearly state that the design is to avoid noise emission in the auditory range (column 3, line 4 to column 4, line 2). Specifically, Moller notes that "[t]he only thing to be borne in mind in providing grooves, ribs or corrugations is to ensure that the remaining parts of the wall cannot vibrate in the auditory range." As such, Moller cannot be said to be disclosing a "plurality of substantially parallel, spaced-apart reinforcement channels" as required in Claim 1 of this application.

Rejections under 35 U.S.C. 103

According to the Office Action, Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Onozaki in view of Hofbauer et al (USPN 4,296,716) ("Hofbauer"); Claims 7-9, and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Onozaki in view of Takubo (USPN 4,770,276) ("Takubo"); Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moller in view of Hofbauer; and Claims 7-9, and 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moller in view of Takubo. Applicant respectfully traverses each of the aforesaid grounds for rejection under 35 U.S.C. 103, for the reasons set forth below.

As discussed above, neither Onozaki nor Moller disclose "channels tapering downwardly from the first end and the second end towards an accumulation area" as provided for in Claim 1, from which Claims 3, 7-9 and 18-21 ultimately depend. Each of Claims 3, 7-9 and 18-21 indirectly depend from Claim 1. Since Claim 1 is allowable, for the reasons discussed above, all of the dependent Claims from Claim 1 should also be allowable.

CONCLUSION

It is respectfully submitted that Applicants have responded in a fully satisfactory manner to all matters at issue in this Application, and that this Application is now in condition for allowance. In this regard, Applicants have made every effort to comply with the requirements set forth in the Office Action as well as the statutory requirements. Accordingly, Applicants respectfully request that the Examiner enter this Amendment, allow the Claims, and pass the Application to issue.

Applicants respectfully submit that Claims 1-21 are in a condition for allowance. If the Examiner believes that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at (248) 433-7570.

Respectfully submitted,



Michael A. Schaldenbrand
Registration No. 47,923
Attorney for Applicant

DICKINSON WRIGHT PLLC
1901 L Street, N.W., Suite 800
Washington, D.C. 20036
202-457-0160

Dated: September 8, 2004

MAS

BLOOMFIELD 27006-2 641466